IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 3141 of 1994

Between:

Smt.Sabirunnisa, W/o. Late S.A.Sattar.
Kagithalapenta, Cuddapah. **..... PETITIONER**

AND

1.The State of A.P.,Rep. by its Secretary,

Industries & Commerce Dept.,

Secretariat, Hyderabad.
2.The Director of Mines & Geology.

Govt. of A.P., Hyderabad.
3.The Asst. Director of Mines & Geology, Cuddapah.
4.The Deputy Director Of Mines & Geology, Cuddapah.
5.The Govt of India, rep. by its Secretary,

Steel and Mines, New Delhi. **..RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly in the nature of Writ of Certiorari and quash the Assessment Order in Lr.No.455-B/MI/77 dated 28/06/1993 of the 3rd respondent on the Petitioner by declaring that the validation Act 16 of 1992 is unconstitutional and pass such other order or orders as the Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.C.B.RAM MOHAN REDDY

Counsel for the Respondents: GP FOR MINES AND GEOLOGY

The Court made the following :

-

-

-

-

JUDGMENT: (PER BN, J)

Petitioner challenges the demand notice dated 28-06-1993, which has been created under the Validation Act, 16 of1992. It is submitted that this Act has already been held to be unconstitutional and struck down by Supreme Court in ***District Mining Officer and others vs. Tata Iron and Steel Co. and another.***

In this view of the matter, writ petition is allowed and the demand notice dated 28-06-1993 is quashed. No costs.

(Bilal Nazki, J)

30TH August, 2004

(S.Ananda Reddy, J)

LUR

Copy to:

1.The Secretary,

Industries & Commerce Dept.,

Secretariat, Hyderabad.
2.The Director of Mines & Geology.

Govt. of A.P., Hyderabad.
3.The Asst. Director of Mines & Geology,

Cuddapah.
4.The Deputy Director Of Mines & Geology,

Cuddapah.
5.The Secretary,
Steel and Mines, New Delhi.

6.Two CCs to the G.P. for Mines and Geology,

High Court Buildings, High Court of A.P.,

Hyderabad.(O.U.T)

7.Two CD copies.